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Jin Soo Lee

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EXAMINER

PATEL, DHAIRYA A

ART UNIT

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2151

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12/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

AK

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/902,664	LEE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dhairya A. Patel	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 80-84, 87-92, 94-99, 102-107, 109-114, 117-122, 124 and 125 is/are pending in the application.
- 4a) Of the above claim(s) 1-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 80-84, 87-92, 94-99, 102-107, 109-114, 117-122, 124 and 125 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communication filed on 10/11/2007. Claims -84,87-92, 94-99, 102-107, 109-114, 117-122, 124-125 are presented for examination. Claims 24-79, 85,86, 93, 100, 101, 108, 115, 116, 123 are cancelled. Claims 1-23 are withdrawn from consideration.
2. This amendment has been fully considered and entered.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The term "tangibly" in claim 96 is a relative term which renders the claim indefinite. The term "tangibly" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

The term "tangibly" is not defined by the claim, so therefore the scope of the invention cannot be determined.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 80-84,87-92, 94-99, 102-107, 109-114, 117-122, 124-125 are

rejected under 35 U.S.C. 102(b) as being anticipated by Lawler et al. U.S. Patent # 5,758,259 (hereinafter Lawler)

As per claim 80, Lawler teaches a method implemented by an apparatus for processing information related to consumption of multimedia content, the method comprising:

- receiving one or more group descriptions ("personal preference" or "household preference" or "national preference" or "critics preference"), each of the one or more group descriptions describing content elements common in a respective group of multimedia objects ("Kung Fu: The legend continues" or "Trailside: Make you" or "My fair lady" or "star wars"), and including a title for the respective group and a group identifier (table 1a "movie criteria" or "sports criteria") that is a distinct element of the group description and identifies the respective group of multimedia objects (television series "MASH" Table 1c) (column 6 lines 36-42) (Fig. 3A-C)(column 4 lines 43-57)(column 5 lines 20-51)

- storing the group identifier and at least a portion of each of the one or more group descriptions in the apparatus (column 7 lines 58-67)(column 8 lines 1-3, lines 34-44)(Table 2) ;

- receiving a first content description and a first group description, the first content description describing content in a first multimedia object and including (i) a title for the first multimedia object (Table 1a, "director"), (ii) a first object identifier that identifies the first multimedia object (Table 1a "George Lucas"), and (iii) a first group reference that includes a first group identifier to identify a first group of multimedia objects to which the

first multimedia object belongs (Table 1a "movie criteria"), wherein the first group description describes content elements common in the first group of multimedia objects and includes at least a title for the first group of multimedia objects (column 6 lines 10-67)(column 7 lines 1-34);

- comparing the first group identifier with the group identifier of each respective group of the one or more previously stored group descriptions if the first multimedia object is displayed on a terminal of the apparatus (column 7 lines 35-61); and

- if the first group identifier is different from the previously stored group identifiers, storing in the apparatus the first group identifier and at least a portion of the first group description about common content elements in the first group of multimedia objects (column 8 lines 51-67)(column 9 lines 1-10).

As per claim 81, Lawler teaches the method of claim 80, further comprising:

- storage a usage history that lists user actions and associates the first object identifier with each user action that is related to the first multimedia object (Fig. 6)(column 8 lines 51-67)(column 9 lines 1-11).

As per claim 82, Lawler teaches the method of claim 81, further comprising:

- providing first link information in the usage history, wherein the first link information is configured to link the first group description to each user action that is related to the first multimedia object and listed in the usage history (Fig. 6)(column 8 lines 51-67)(column 9 lines 1-11).

As per claim 83, Lawler teaches the method of claim 82, wherein the first link information includes the first group identifier (column 9 lines 2-11 "Talk show criteria")

As per claim 84, Lawler teaches the method of claim 81, wherein storing the usage history includes storing the usage history with the first link information, but without storing the received first group description if the first group identifier is the same as one of the previously stored group identifiers (Fig. 6)(column 8 lines 51-67)(column 9 lines 1-11).

As per claim 87, Lawler teaches the method of claim 80, wherein the first group of multimedia objects represents a series of episodes, and wherein the first group reference indicates that the first multimedia object represents an episode of the series (column 6 lines 11-44)(Table 1D).

As per claim 88, Lawler teaches the method of claim 87, wherein the first group reference specifies an episode number for the first multimedia object in the series of episodes (column 7 lines 25-35).

As per claim 89, Lawler teaches the method of claim 80, wherein the first content description includes a hierarchical structure in which the first group reference to the group is represented at the same hierarchical level as a container including content description elements (Table 1A-D)(Fig. 3A-C "value" "criterion field").

As per claim 90, Lawler teaches the method of claim 89, wherein the content description elements include an element describing a genre for the first multimedia object (Table 1a-d "genre")

As per claim 91, Lawler teaches the method of claim 89, wherein the content description elements include an element specifying a director, an actor, or an actress for the first multimedia object (Table 1a "Criterion field" "director" "George Lucas")

As per claim 92, Lawler teaches the method of claim 89, wherein the content description elements include an element for a textual description of the content in the first multimedia object (Table 1c "Talk" i.e. talk show).

As per claim 94, Lawler teaches the method of claim 80, wherein the first group description specifies a genre for the first group of multimedia objects (Table 1b-d "genre" & Table 2 "genre" criterion).

As per claim 95, Lawler teaches the method of claim 80, wherein the first group description specifies a director or one or more actors or actresses for the first group of multimedia objects (Table 1a "director name" for movie criteria)

As per claim 96, Lawler teaches a computer program product, tangibly embodied in a computer readable medium, for processing information related to a consumption of multimedia content, the computer program comprising instructions to cause data processing apparatus to perform operations (column 11 lines 21-28, claim 3) comprising:

- receiving one or more group descriptions ("personal preference" or "household preference" or "national preference" or "critics preference"), each of the one or more group descriptions describing content elements common in a respective group of multimedia objects ("Kung Fu: The legend continues" or "Trailside: Make you" or "My fair lady" or "star wars"), and including a title for the respective group and a group identifier (table 1a "movie criteria" or "sports criteria") that is a distinct element of the group description and identifies the respective group of multimedia objects (television

series "MASH" Table 1c) (column 6 lines 36-42) (Fig. 3A-C)(column 4 lines 43-57)(column 5 lines 20-51)

-storing the group identifier and at least a portion of each of the one or more group descriptions in the apparatus (column 7 lines 58-67)(column 8 lines 1-3, lines 34-44)(Table 2) ;

-receiving a first content description and a first group description, the first content description describing content in a first multimedia object and including (i) a title for the first multimedia object (Table 1a, "director"), (ii) a first object identifier that identifies the first multimedia object (Table 1a "George Lucas"), and (iii) a first group reference that includes a first group identifier to identify a first group of multimedia objects to which the first multimedia object belongs (Table 1a "movie criteria"), wherein the first group description describes content elements common in the first group of multimedia objects and includes at least a title for the first group of multimedia objects (column 6 lines 10-67)(column 7 lines 1-34);

-comparing the first group identifier with the group identifier of each respective group of the one or more previously stored group descriptions if the first multimedia object is displayed on a terminal of the apparatus (column 7 lines 35-61); and

-if the first group identifier is different from the previously stored group identifiers, storing in the apparatus the first group identifier and at least a portion of the first group description about common content elements in the first group of multimedia objects (column 8 lines 51-67)(column 9 lines 1-10).



As per claims 97-98, 99, 102-107, 109-110 respectively, teaches same limitation as claims 81-82,84, 87-92, 94-95 respectively, therefore rejected under same basis.

As per claim 111, Lawler teaches a system for processing information related to consumption of multimedia content, the system comprising:

- a display terminal (Fig. 1 element 16);
- a memory unit (Fig. 2 element 68); and
- data processing apparatus configured to:
  - receive one or more group descriptions ("personal preference" or "household preference" or "national preference" or "critics preference"), each of the one or more group descriptions describing content elements common in a respective group of multimedia objects ("Kung Fu: The legend continues" or "Trailside: Make you" or "My fair lady" or "star wars"), and including a title for the respective group and a group identifier (table 1a "movie criteria" or "sports criteria") that is a distinct element of the group description and identifies the respective group of multimedia objects (television series "MASH" Table 1c) (column 6 lines 36-42) (Fig. 3A-C)(column 4 lines 43-57)(column 5 lines 20-51)
  - store the group identifier and at least a portion of each of the one or more group descriptions in the apparatus (column 7 lines 58-67)(column 8 lines 1-3, lines 34-44)(Table 2) ;
  - receive a first content description and a first group description, the first content description describing content in a first multimedia object and including (i) a title for the first multimedia object (Table 1a, "director"), (ii) a first object identifier that identifies the

first multimedia object (Table 1a "George Lucas"), and (iii) a first group reference that includes a first group identifier to identify a first group of multimedia objects to which the first multimedia object belongs (Table 1a "movie criteria"), wherein the first group description describes content elements common in the first group of multimedia objects and includes at least a title for the first group of multimedia objects (column 6 lines 10-67)(column 7 lines 1-34);

-compare the first group identifier with the group identifier of each respective group of the one or more previously stored group descriptions if the first multimedia object is displayed on a terminal of the apparatus (column 7 lines 35-61); and

-if the first group identifier is different from the previously stored group identifiers, storing in the apparatus the first group identifier and at least a portion of the first group description about common content elements in the first group of multimedia objects (column 8 lines 51-67)(column 9 lines 1-10).

As per claims 112-113, 114, 117-122, 124-125 respectively, teaches same limitation as claims 81-82, 84, 87-92, 94-95 respectively, therefore rejected under same basis.

### ***Response to Arguments***

Applicant's arguments with respect to claims 80-125 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A). "Method for increasing the functionality of a media player/recorder device or an application program" by Cox et al. U.S. Patent # 6,456,725.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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DAP



JEFFREY PWU  
SUPERVISORY PATENT EXAMINER